

University of Richmond UR Scholarship Repository

Historic Law School Exams

T.C. Williams Law School Archives

5-22-1944

T. C. Williams School of Law, University of Richmond: Contracts II Exam, 22 May 1944

University of Richmond

Follow this and additional works at: <http://scholarship.richmond.edu/historicexams>

Recommended Citation

University of Richmond, "T. C. Williams School of Law, University of Richmond: Contracts II Exam, 22 May 1944" (1944). *Historic Law School Exams*. 42.

<http://scholarship.richmond.edu/historicexams/42>

This Book is brought to you for free and open access by the T.C. Williams Law School Archives at UR Scholarship Repository. It has been accepted for inclusion in Historic Law School Exams by an authorized administrator of UR Scholarship Repository. For more information, please contact scholarshiprepository@richmond.edu.

UNIVERSITY OF RICHMOND LAW SCHOOL

EXAMINATION IN CONTRACTS II

May 22, 1944

Professor Doubles

1. On January 2, 1940, a decree of divorce was entered dissolving the marriage of H and W, the decree providing that neither party should marry for two years. Thereafter H became very fond of F but he explained to her the particulars of the previous divorce decree. *As* a result of indiscreet intercourse with H, F became pregnant during the summer of 1940, and upon learning of it H immediately promised to marry her as soon as he could lawfully do so. A child X was born to F on April 1, 1941. On January 3, 1942, H married G, and as a result F committed suicide one month later. A suit against H was immediately instituted by X, through a next friend appointed by the court, to recover \$ 25,000 damages for breach of contract. What judgment?

2. S and his friend B had often visited in the home of D (who was S's uncle) and they both had admired the rug on the dining room floor which D said was a genuine Persian Kashan. D died on January 1st, and in his will he bequeathed this rug to S. One month later B contracted to buy the rug from S, promising to pay \$ 500 therefor six months from date, S delivering the rug to B immediately. On June 1st B ascertained that the rug was a very good American Oriental machine made product but worth only \$ 100, whereupon B wrote to S as follows: "The rug is not an oriental; I've been defrauded; the deal is off; come and get it." Infuriated at this accusation S stormed up to the courthouse and instituted a suit to recover the \$ 500. What judgment?

3. In 1934, in Richmond, Virginia, D borrowed \$ 500 from C saying: "I will repay you on January 1, 1935." On January 1, 1936 D went to New York to work, returning to Richmond to live on January 1, 1938. *Stat of Limit.*

In September 1939, C assigned the debt to A who notified D of the assignment in December. In October 1939, C assigned the debt to B who notified D of the assignment in November.

D refused to ~~pay~~ anyone, whereupon B instituted a suit against D on December 20, 1939, and A instituted suit against D on January 10, 1940.

What judgments?

4. Discuss briefly the elements of a valid tender —

5. Discuss briefly the Doctrine of Substantial Performance.

END

Mutual mistake